

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA

4:19-cr-1910  
[4:19-cr-0815]

V.

October 18, 2019  
Houston, Texas

SILVANO VILLANUEVA,  
JAIME JESUS VAZQUEZ  
Defendants

PRELIMINARY EXAMINATION / DETENTION HEARING

TESTIMONY OF AGENT DARRYL SOBIN

BEFORE THE HONORABLE FRANCES H. STACY

UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the United States

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Proceedings from official electronic sound recording;  
transcript produced by court approved transcriber.

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1 (Excerpt of proceedings.)

2 (Proceedings through Interpreter.)

3 THE COURT: All right. The next case, 2019-19, U. S.  
4 versus Silvano Villanueva and Jaime Jesus Vazquez

5 MS. STABE: Yes, Your Honor, Jennifer Stabe for the  
6 United States.

7 MR. PARRAS: Good morning, Your Honor.

8 THE COURT: Good morning, Your Honor.

9 MR. PARRAS: John Parras here for Mr. Villanueva.

10 MR. WILLIAMS: And Andrew Williams for  
11 Mr. Jaime Vazquez.

12 THE COURT: Very good.

13 MR. WILLIAMS: May I have a moment, Your Honor?

14 THE COURT: You certainly may.

15 THE INTERPRETER: Ready, Your Honor.

16 THE COURT: Thank you.

17 And the Official Court Interpreter is  
18 translating the proceedings into the Spanish language for  
19 Mr. Vasquez?

20 THE INTERPRETER: Yes.

21 THE COURT: And we are having a Probable Cause  
22 hearing and a Bail hearing this morning, correct?

23 MS. STABE: Yes, Your Honor.

24 MR. WILLIAMS: Yes, Your Honor.

25 MR. PARRAS: Yes, Your Honor.

1 I did want to make Your Honor aware of  
2 something.

3 Mr. Vasquez' family is in the process of hiring  
4 Juan Guerra. However, he's in Del Rio right now I'm told by  
5 his secretary at another Detention hearing. They asked me  
6 to ask you -

7 THE COURT: He's not going to make it today.

8 MR. PARRAS: I'm sorry?

9 THE COURT: He's not going to make it here today.

10 MR. PARRAS: He's not going to be here today. No.

11 THE COURT: Right.

12 MR. PARRAS: He'll be here Tuesday, but they wanted  
13 me to ask you if they would - if you would carry the hearing  
14 until Tuesday. That's what his secretary is telling me,  
15 because then she said that he was going to call the Court but  
16 Beverly said that she never heard from her.

17 THE COURT: Did we get a call, Beverly?

18 COURT CLERK: I've been in the courtroom since 8:30  
19 this morning; we had court starting at 9:00. I didn't receive  
20 a phone call.

21 THE COURT: Okay.

22 MR. PARRAS: But the Prosecutor has also told me that  
23 the Agent is going to be gone for a couple of weeks.

24 THE COURT: For a couple of weeks?

25 MS. STABE: Yes. Your Honor. And he told me after

1 today he will be out of town for two weeks, unavailable to  
2 come for a hearing.

3 THE COURT: Okay.

4 What's your position?

5 MR. PARRAS: We're ready to proceed, Your Honor.

6 THE COURT: I think we should proceed, because we  
7 don't have an appearance of the lawyer, new lawyer yet. He  
8 hasn't contacted us, and this is not a very substantial  
9 proceeding as far as the merits of the case. It just has to  
10 do with probable cause and bail.

11 So, I'm very happy to let a lawyer that is  
12 retained to substitute in place of the court appointed lawyer;  
13 especially at an early stage of the proceeding that - that  
14 will be granted if your law- -- if Mr. Guerra moves to  
15 intervene and represent you, that will be granted.

16 But as far as today's hearing, I'm not going to  
17 reschedule it, because the Government's witness won't be  
18 available next week. The co-Defendant is ready to proceed,  
19 and I think your current lawyer is ready to proceed, if need  
20 be.

21 MR. WILLIAMS: Yes, Your Honor.

22 THE COURT: So, we will just go ahead and have the  
23 hearing. And if there's some reason to contest the results of  
24 today's hearing, your lawyer will be allowed to do that; your  
25 new lawyer will be allowed to do that. Okay?

1                   So, we will have a seat please at the counsel  
2 table next to your lawyers.

3                   And the Government may call its first witness.

4                   MS. STABE: The Government calls their Agent,  
5 Darryl Sobin.

6                   THE COURT: Please come forward and be sworn.

7                   (Witness sworn.)

8                   AGENT SOBIN: I do.

9                   COURT CLERK: Thank you.

10                  Take a seat on the witness stand.

11                  THE COURT: Beverly, is there a way to find out if  
12 Mr. Guerra has made a Notice of Appearance in this case?

13                  COURT CLERK: I just checked the docket sheet, and  
14 there is not a Notice of Appearance.

15                  THE COURT: He has not made a Notice of Appearance.

16                  Okay.

17                  COURT CLERK: Do you want to take care of the other  
18 case, Judge?

19                  THE COURT: Yes.

20                  (Pause in the proceedings at 10:13:56 a.m. to 10:19:04  
21 a.m.)

22                  THE COURT: Now, we'll go back to our Case No.  
23 19-1910, U. S. versus Villanueva and Vazquez.

24                  The witness has been sworn in.

25                  Please make good use of the microphones wherever

1 you are sitting or standing when you're questioning the  
2 witness.

3 MS. STABE: May I proceed, Your Honor?

4 THE COURT: Yes.

5 DARRYL SOBIN, GOVERNMENT'S WITNESS, PREVIOUSLY SWORN

6 DIRECT EXAMINATION

7 BY MS. STABE:

8 Q Could you please state your name for the record?

9 A Darryl Sobin.

10 Q And, Agent Sobin, what do you do for a living?

11 A I'm a federal agent for Drug Enforcement Administration.

12 Q Okay.

13 How long have you been with the DEA?

14 A Just shy of 19 years.

15 Q Can you just give a brief background of where have you  
16 been stationed throughout your career?

17 A I came on in New York for approximately seven and a half  
18 years. I followed that with another seven years in Mexico and  
19 now five years here.

20 Q In Houston?

21 A In Houston.

22 Q Okay. And as an agent with the DEA, what are your general  
23 duties?

24 A Arrest and enforce drug laws.

25 Q Okay. And can you speak up just a little bit?



1 A Sure. Sorry.

2 Q Okay.

3 THE COURT: If you just don't mind talking right into  
4 the microphone. It makes so much better record. It doesn't -  
5 it's not instinctive, but if you do it, it will really help  
6 us.

7 THE WITNESS: Yes, Your Honor.

8 THE COURT: Thank you.

9 BY MS. STABE:

10 Q So, Agent Sobin, during your career with the DEA, do you  
11 frequently use Confidential Sources?

12 A Absolutely.

13 Q Okay. And in the case we're here to discuss today, at  
14 some point around September 4, 2019, were you working with a  
15 Confidential Source during an investigation into the drug  
16 trafficking activities of Silvano Villanueva, Jr.

17 A Yes, I was.

18 Q And around September 4<sup>th</sup>, 2019, I guess - did you get  
19 information from your Confidential Source that kind of started  
20 why we're here today?

21 A Yes, I did.

22 Q Okay.

23 Can you tell the Court basically the beginning  
24 of the investigation, September 4, 2019, what did you learn?

25 A Sure.

1                   On or about September 4<sup>th</sup>, I was made aware that  
2                   Silvano Villanueva had wired money to our source up in Houston  
3                   for the purposes of the journey down south to McAllen, at  
4                   which point he was sent to McAllen to meet with Villasenor in  
5                   furtherance of registering a tractor trailer to move  
6                   narcotics, cocaine specifically, to either Carolinas, Atlanta,  
7                   Ohio and/or Houston.

8                   Q     Okay.

9                   And did your CS then actually go down to the  
10                  McAllen, Hidalgo area of Texas?

11                 A     Yes, late on the 4<sup>th</sup> he left, was picked up in Harlingen.  
12                 He took a bus down to Harlingen, was picked up by Villanueva  
13                 in Harlingen and brought to McAllen.

14                 Q     Okay.

15                 A     Arriving on the 5<sup>th</sup>, early morning hours.

16                 Q     And the - you stated that there was a wire transfer of  
17                 money to the CS; is that right?

18                 A     On the 4<sup>th</sup>, correct.

19                 Q     Okay. And -

20                 A     In the name -

21                 Q     Who is the wire transfer from?

22                 A     In the name of Silvano Villanueva. That was the first  
23                 time we were made aware of his exact name.

24                 Q     Okay. So, there were identifiers on that wire transfer?

25                 A     Absolutely.

1 Q And did you then take that full name, Silvano Villanueva,  
2 Jr., and run them through your law enforcement data bases?

3 A Yes, we did.

4 Q Were you able to develop a suspect?

5 A Yes, we did.

6 Q Did you then show any photographs or images of  
7 Silvano Villanueva, Jr. to your CS?

8 A Yes, we did.

9 Q Was the Defendant identified in this case?

10 A Yes, he was positively identified.

11 Q Okay. And do you see he same person, Silvano Villanueva,  
12 Jr., in the courtroom today?

13 A Yes, I do.

14 Q Could you please point to him and identify an article of  
15 clothing he's wearing?

16 A The gentleman to my right with the green jumpsuit.

17 Q Okay.

18 A Behind the gentleman in the blue suit.

19 Q Okay.

20 May the record reflect, Your Honor, the witness  
21 has identified the Defendant Villanueva?

22 THE COURT: Is he wearing headphones?

23 THE WITNESS: No, the other one.

24 THE COURT: Okay. The record will so reflect.

25 THE WITNESS: Okay.

1 BY MS. STABE:

2 Q So, your CS went down to the McAllen area of Texas around  
3 September 4<sup>th</sup> to 5<sup>th</sup>; is that right?

4 A Correct.

5 Q Okay. So, once the CS arrived in McAllen, what did you  
6 learn that the CS did with the Defendant Villanueva?

7 A They were in the process of registering and repairing,  
8 making ready a 2010 burgundy Freightliner tractor trailer.

9 Q So, a big eighteen wheeler?

10 A Correct.

11 Q Okay.

12 And what were the steps they took to make it  
13 ready for a transport?

14 A They needed to change tires, paint. They registered a  
15 company called Blessed Sevens - Blessed Sevens, depending on  
16 how you pronounce it. Made logos for the doors. In addition,  
17 they had to re-register the trailer; the trailer was re-  
18 registered on the 12<sup>th</sup> - on or about the 12<sup>th</sup>.

19 On the 13<sup>th</sup>, there was an issuance of plates for  
20 the tractor, which would then change, because they were  
21 improper - the plates were incorrect, but that was the first  
22 issuance of dates for the tractor itself. So, between the  
23 12<sup>th</sup> and the 13<sup>th</sup>, a lot of that work got done, as well as  
24 insurance and registration.

25 Q Okay.

1                   And who was it that was helping the CS prepare  
2 this tractor trailer?

3     A     Silvano Villanueva.

4     Q     Okay.

5                   And the new license plate and registration whose  
6 name was that in?

7     A     In the Confidential Source's.

8     Q     Okay. So, after September 13<sup>th</sup> or between September 10<sup>th</sup>  
9 and 13<sup>th</sup>, were there any conversations between the CS and  
10 Villanueva about this narcotics transaction?

11    A     Yes, at that point it was up in the air if it was going to  
12 be 42 kilos was the number that was bandied about. However -  
13 and also was talked about there was a potential for two loads  
14 to be transported, which according to Villanueva was not  
15 some- -- was something that was frowned upon but if the CS was  
16 willing to do it, he would like to see that happen. The CS  
17 made himself or herself available, said they would do it if  
18 both loads were ready.

19    Q     Okay. On or about September 16<sup>th</sup>, 2019, did the CS  
20 receive anything from Defendant Villanueva?

21    A     Yes, on the 16<sup>th</sup>, he received - she received two duffle  
22 bags containing what was said to be by Villanueva to be -  
23 direct from Villanueva to be 35 kilograms of cocaine destined  
24 for Atlanta in a nondisclosed location, which he would know or  
25 she would know as the route was traveled.

1 Q Okay. And so, these duffle bags of cocaine were handed  
2 directly from Villanueva to the CS?

3 A Yes, they were.

4 Q Okay. Is there anything else that Villanueva did to  
5 facilitate the transportation of this cocaine?

6 A He also organized the cover load, which wa- -- which is  
7 what they would - the - a truck can't run empty from here up  
8 north. It would be suspicious. So, a load of broccoli was  
9 set up by Villasenor to be picked up by the CS.

10 Q Okay.

11 And you said, "Villasenor," do you mean  
12 Villanueva?

13 A Villanueva - excuse me - yes, Villanueva.

14 Q Okay.

15 So, Villanueva set up the load of broccoli, the  
16 cover load, and where did the CS go to pick that up?

17 A 23<sup>rd</sup> and Produce Road in Hidalgo.

18 Q Okay. And after the CS picked up the cover load and the  
19 duffle bags of what Villanueva said was cocaine, what did the  
20 CS then do?

21 A He was immediately - she was immediately met by agents of  
22 the McAllen office, DEA office, where they took custody of the  
23 two bags and identified positively field tested for cocaine.  
24 The logos on the cocaine were that of triple sevens, not  
25 unlike the logo Blessed Sevens. And then the CS was sent

1 north.

2 Q Okay. Was the cocaine weighed at that point?

3 A It was weighed. The gross weight was 45.3 kilograms.

4 Q Okay. Did the CS receive any kind of documentation from  
5 agents that discussed the seizure?

6 A Yes. Shortly thereafter, he - he or she were given a  
7 seizure document from DHS/CBP stating that the - they had  
8 interdicted at the Checkpoint in Falfurrias 45.3 kilograms  
9 from the trailer of the vehicle.

10 Q Okay. And at that point, what did your CS do?

11 A That would be the 17<sup>th</sup>. The CS traveled north to Houston,  
12 arriving in Houston on or about the 17<sup>th</sup> with the trailer.

13 Q Okay. And why did the CS then go to Houston?

14 A Well, we ordered them to continue the route, as if to be  
15 continuing the route toward where - where the product had to  
16 be delivered, the cover load.

17 Q Okay. And so the CS was originally was supposed to go  
18 through Houston?

19 A Yes.

20 Q And on or about September 17<sup>th</sup>, 2019, did the CS have a  
21 conversation with Villanueva over the phone -

22 A Yes, where -

23 Q And what was the subject of that call?

24 A He or she informed Villanueva that the merchandise had  
25 been seized at the Checkpoint in Falfurrias.

1 Q Okay. And was a meeting set up at that time?

2 A Shortly thereafter on the 18<sup>th</sup> a meeting was set up, yes.

3 Q Okay. And where was the location of that meeting?

4 A The Love's Truckstop in Katy, Texas.

5 Q Okay. Did Agents establish surveillance at the Love's  
6 Truckstop in Katy, Texas?

7 A Yes, they did.

8 Q Okay. When Agents were there at the Love's Truckstop, did  
9 you see the Defendant Villanueva?

10 A Villanueva was seen as he was meeting with the CS in the  
11 Love's Truckstop.

12 Q Okay. Was there a discussion in that Love's Truckstop  
13 between the CS and Villanueva?

14 A They walked to the back of the truckstop. He explained -  
15 the CS explained why the truck, the reefer, the refrigerated  
16 portion of the truck was not keeping. That was part of the  
17 discussion, and he was also - he/she was also explaining the  
18 circumstances regarding the seizure.

19 Q Did the CS give any documents to -

20 A Yes.

21 Q -- Villanueva?

22 A The CS provided the original document for the seizure.

23 Q Okay.

24 A From CBP.

25 Q Was there anyone else that was noticed by agents that day



1 in the Love's parking lot or Love's complex?

2 A Yes. Subsequent to the CS's departure as Villanueva  
3 exited the Love's, he entered a black Camry which bore a  
4 temporary tag, and that black Camry was parked watching the  
5 front of the Love's location. And, yes, there was a driver in  
6 that vehicle.

7 Q Okay.

8 And at that time, did agents know who that  
9 driver was?

10 A No.

11 Q Okay. Later was that driver identified?

12 A Yes, they continued to the back of the - of the Love's  
13 where they both worked. A mechanic was ordered for the reefer  
14 or refrigerated portion of the truck. Villanueva and the  
15 driver continued to the back, drove around, drove the Camry to  
16 the back of the location where photos were obtained and  
17 subsequently shown to the - to the Infor- -- to the  
18 Confidential Source.

19 Q Okay. So, at some point who is that driver identified as?

20 A Jaime Vazquez.

21 Q Okay. Do you see Jaime Vazquez in the courtroom today?

22 A Yes, I do.

23 Q Can you please point to him and identify an article of  
24 clothing that he's wearing?

25 A The gentleman with - well, the green jumpsuit but also the

1 headphones.

2 Q Okay.

3 May the record reflect the witness has  
4 identified Defendant Vazquez.

5 THE WITNESS: Thank you.

6 THE COURT: The record will so reflect.

7 BY MS. STABE:

8 Q After the meeting at the Love's Truckstop where both  
9 Villanueva and Vazquez were there, what happened next after  
10 that between September 18<sup>th</sup> and around October 10<sup>th</sup>?

11 A There was a series of communications between the CS and  
12 Villanueva during which a constant theme was trying to bring  
13 the CS initially down to the Valley to meet to explain what  
14 happened. Then it became anywhere that a meeting could occur  
15 there was a gentleman from Dallas supposedly that needed to be  
16 told exactly face to face what had occurred. It needed to be  
17 a face-to-face meeting, but the common theme was a gentleman  
18 from Dallas where the CS would answer more direct details as  
19 to what went down.

20 Q Okay.

21 And did they call this person the "Dallas guy"?

22 A Yes.

23 Q Okay.

24 At some point on September 29<sup>th</sup>, was there a  
25 conversation between Villanueva and the CS where someone who

1 identified as the Dallas guy kind of got on the phone?

2 A Yes. Villanueva put another phone up to his phone via  
3 speaker and that gentleman was the purported to be the  
4 gentleman from Dallas.

5 Q Okay.

6 But listening to the conversation, you don't  
7 know for sure whose voice that was through all the  
8 different -

9 A Chan- --

10 Q -- I guess phones being put up next to each other?

11 A No, I do not.

12 Q Okay.

13 On October 10<sup>th</sup>, 2019, did the CS arrange a  
14 meeting between the person known as the Dallas guy and  
15 Villanueva?

16 A Yes, Villanueva.

17 Q Okay. Where was that meeting to take place?

18 A The Richmond Travel Center or McDonald's.

19 Q Okay.

20 And is that also in the Southern District of  
21 Texas?

22 A Yes, it is.

23 Q Okay. And what city was it in?

24 A That's in Richmond. I'm sorry.

25 Q Okay.

1 A Rosenberg - excuse me.

2 Q Rosenberg?

3 A Yes.

4 Q What time was the meeting supposed to take place?

5 A The meeting was supposed to take place at 12:30.

6 Surveillance was established at 12:15. At approximately 1:09,

7 Mr. Villanueva arrived in his Camry.

8 Q Okay. And was there anyone else in that Camry?

9 A Yes, Mr. Villanueva was the passenger in the Camry.

10 Q Who is the driver?

11 A Upon entry that was not known. Subsequently, it was

12 Mr. Val- -- identified as Mr. Vazquez.

13 Q Okay.

14 So, Agents see a black Camry pull in and

15 Villanueva is identified right away?

16 A The license plate is registered to Mr. Villanueva.

17 Q Okay.

18 And what does Mr. Villanueva do?

19 A Mr. Villanueva - well, he places a call to the CS at

20 1:12 - well, 1:09 and it ends - yes, at 1:12 as he is entered

21 into the McDonald's.

22 Q Okay.

23 And at that point is anything happening with

24 that black Camry?

25 A The black Camry at that point has made multiple loops

1 around the parking lot as if to look for surveillance or other  
2 oddities.

3 Q Okay. Does the driver - or is the driver at that time  
4 identified?

5 A At that time? Yes, Agents were able to see as doors were  
6 opening and closing who was in the vehicle, and he was  
7 identified as the same person from the Love's as Mr. Vazquez,

8 Q Okay. And once Villanueva got into the McDonald's were  
9 there any more conversations between the CS and Villanueva by  
10 phone?

11 A Yes, witnessed - I say I witnessed firsthand the CS was  
12 trying - it was basically told by Villanueva that the  
13 gentleman from Dallas could not attend. The CS stated that  
14 the whole reason for this meeting was because he needed to  
15 answer face-to-face with the gentleman from Dallas, not  
16 Mr. Villanueva, and he would not appear if the gentleman was  
17 not there.

18 This went back and forth for several minutes, at  
19 which point surveillance units witnessed Mr. Villanueva return  
20 to the vehicle. A short time later the calls again are going  
21 back and forth. Mr. Villanueva is stating that he is alone  
22 and not with anybody.

23 He then returns to the front of the McDonald's,  
24 the exterior, not inside where the CS says, I'm leaving, if I  
25 don't speak with someone. I drove through there. I saw there

1 was a person in the vehicle. I know you're not alone. At  
2 that point, Mr. Villanueva exits the front or leaves the front  
3 area of the McDonald's, returns to his vehicle, enters the  
4 passenger side. Conversations continue with Mr. Villanueva  
5 and the CS. Moments later Mr. Vazquez appears on the phone.  
6 Q Okay.

7 And since you guys had surveillance, Agents had  
8 surveillance established, was there anyone else in that Camry  
9 besides Villanueva and Vazquez?

10 A Absolutely not.

11 Q Okay.

12 And so, Villanueva his voice was on the phone  
13 for a while; is that right?

14 A Correct, multiple times.

15 Q Okay.

16 A Right.

17 Q And then, at some point the voice clearly changed to  
18 someone different?

19 A Indistinguishably. Correct.

20 Q Okay.

21 A Absolutely.

22 Q And throughout your -

23 A Indistinguishably.

24 Q -- investigation, have you later had a chance to hear  
25 Mr. Vazquez' voice?

1 A Yes, I have.

2 Q Okay.

3 And so, was it the same person on the phone when  
4 the phone was passed as Mr. Vazquez?

5 A Absolutely.

6 Q Okay.

7 During that conversation between the CS and  
8 Vazquez, what was the subject of that call?

9 A The need to sit down and talk face to face. Mr. Vazquez  
10 stated in no uncertain terms that this looks bad; you must  
11 have - if you think - the CS stated that he or she did not  
12 want to meet, as, you know, felt there was a kidnap threat or  
13 something like that. And Mr. Vazquez stated that you must  
14 have some guilt on your conscience or you must have done  
15 something bad in order to feel this way. We need to meet. We  
16 simply want to go over the details; we want to sit and talk.  
17 This has gone on long enough, and then - to that effect.

18 Q Was there a conversation about Vazquez having seen the  
19 paperwork?

20 A Yes. The CS asked, you saw the paperwork. There was no  
21 trap in the truck. This doesn't fall on me. Mr. Vazquez  
22 entered - answered that he indeed - he was aware of that, but  
23 we needed to speak, to explain further the details. But he  
24 had seen the paperwork.

25 Q Okay.

1                   And at that point after that call, did Agents  
2 end up detaining both Villanueva and Vazquez?

3     A     Yes, they did.

4     Q     Okay. How were they identified that day, October 10<sup>th</sup>,  
5 2019?

6     A     They had their licenses in their possession?

7     Q     Okay. And so their names and photographs matched the  
8 people that are charged in this case?

9     A     Yes, ma'am.

10    Q     And, Agent Sobin, in addition to being there at the scene,  
11 did you also run several checks through databases on these two  
12 Defendants?

13    A     Yes, we did.

14    Q     Okay. Did you check Defendant Vill- -- Villanueva's Texas  
15 Workforce Commission records?

16    A     Yes, I have.

17    Q     Okay. Does Defendant Villanueva have any reportable  
18 income or employment that shows up under Texas Workforce  
19 Commission?

20    A     Not that I have seen, no.

21    Q     Did you also run a check of Defendant Villanueva's  
22 criminal history?

23    A     Yes.

24    Q     And did you find any reportable convictions for  
25 Defendant Villanueva?



1 A Two marijuana smuggling charges; one in 2004, sentenced to  
2 30 months, a hundred and thirty kilograms and that was out of  
3 McAllen; and one in 2011 for 387 kilograms of marijuana; that  
4 was 64 months and that is out of Houston.

5 Q Okay. And - so, Defendant Villanueva appears to have two  
6 federal convictions for marijuana smuggling?

7 A Yes, he does.

8 Q Okay.

9 Did you run Defendant Vazquez' Texas Workforce  
10 Commission records?

11 A Yes, I did.

12 Q Did Defendant Vazquez have any reportable income or  
13 employment?

14 A Not that I could verify, no.

15 Q Did you also run Defendant Vazquez' border crossings?

16 A Yes, they were run.

17 Q And what did you find when you ran the border crossings?

18 A Crosses with frequency, every two to three days.

19 Q Okay.

20 So, there were numerous border crossings?

21 A Absolutely.

22 Q And it looks like were there at least 12 just in the month  
23 of September?

24 A Yes, there were. It's my understanding that he has kids  
25 that attend school and live south of the border and a

1 girlfriend and stay with him on the weekend.

2 Q Okay. And at some point did any Agents go to  
3 Defendant Vazquez' residence in Hidalgo, Texas?

4 A Yes.

5 Q Okay. And also what have you learned about that  
6 residence? Is there a mortgage, or is that paid off?

7 A Well, from what I understand, it's approximately a three  
8 hundred-thousand-dollar residence, completely paid off.

9 Q Okay. And is there anything that you noticed about that  
10 residence?

11 A It's ornate; it's well-decorated; it's not - it's a - it's  
12 a nice residence.

13 Sorry.

14 Q Does Defendant Vazquez have any other assets besides the  
15 house?

16 A Numerous vehicles. But he turns vehicles quite quickly.

17 Q What does that mean when you say, "turns vehicles"?

18 A Either buys and sells. It's tough to track, because he  
19 doesn't seem to keep them very long. But I know he has a -  
20 and at least one other vehicle that he - that he has I think  
21 is not registered in his name as well.

22 MS. STABE: Your Honor, I'll pass the witness.

23 THE COURT: All right.

24 You may cross examine.

25 CROSS EXAMINATION

1 BY MR. PARRAS:

2 Q Agent Sobin, I'm John Parras, and I represent  
3 Mr. Villanueva.

4 A Thank you.

5 Q I'm going to start with the last set of questions you had.  
6 First about the work history of Mr. Villanueva.

7 A Yes, sir.

8 Q You reviewed the Texas -

9 A Workforce.

10 Q -- Workforce Commission is what I'm saying.

11 A That's all I remember, yes.

12 Q Do you understand that - that they receive information  
13 from employers of people that they hire for tax purposes and  
14 for Worker's Comp purposes, correct?

15 A Correct.

16 Q But you also understand that the Texas Workforce  
17 Commission is not required to receive information by  
18 contractees or - by contractors for people that they contract  
19 to work under them, correct?

20 A Meaning what, people that are paid via 1099?

21 Q Correct.

22 A Yes, I'm aware.

23 Q Okay. So, if Mr. Villanueva is employed by a company that  
24 pays him on a contract basis by 1099, that information would  
25 not show up at the Texas Workforce Commission?

1 A No, it would not.

2 Q You also talked in respect to Mr. Vazquez that you had  
3 researched information regarding the border crossings?

4 A Yes.

5 Q I assume you looked at the same data bases for information  
6 about Mr. Villanueva and whether there were any border  
7 crossings for Mr. Villanueva?

8 A Absolutely and there were none.

9 Q Absolutely was or absolutely -

10 A And there were - absolutely I looked and there were no -

11 Q -- there were no -

12 A I did not see any.

13 Q And the court reporter is going to get mad at us for  
14 talking over each other.

15 But just to be clear, absolutely you looked and  
16 absolutely there was no information that Mr. Villanueva had  
17 crossed the border at any time.

18 A In the recent history I did not see.

19 Q Recent history being at least the last ten years, fifteen  
20 years, twenty years, what is it?

21 A Oh, I would be guessing at this point, but in answer to  
22 your question I had not seen any border crossings.

23 Q Okay.

24 With respect to prior offenses, okay?

25 A Uh-huh.

1 Q The two offenses that you found for Mr. Villanueva were  
2 two federal marijuana convictions for which he has completed  
3 his sentences, correct?

4 A Uh-huh.

5 Q For which there's no indication that he ever violated any  
6 bond condition, if he was on bond, correct?

7 A Uh-huh.

8 Q There is one record that he had a supervised release  
9 revocation on the very first conviction, correct?

10 A I - if you say so.

11 Q But did you notice that at least with respect to the  
12 second conviction that he completed five years of supervised  
13 release without any incident?

14 A I think I did see that, and if I understand correctly, he  
15 got an early release. Correct?

16 Q I don't know. But he definitely had no revocation on the  
17 supervised release for that most recent conviction. Correct?

18 A Right. I didn't see one. I thought there was an early  
19 release for which had he not had the early release this would  
20 have been a bigger problem. But, yes, I think you are  
21 correct.

22 Q All right. Now, turning to the facts of the case and the  
23 strength of the case, I would like to ask you about  
24 recordings. All right?

25 A Uh-huh.

1 Q Video recordings or audio recordings?

2 A Yes, sir.

3 Q And let's start with the set of conversations that you  
4 testified to between the Cooperating Source and a person in  
5 the Valley regarding their initial trip down to the Valley to  
6 get the Freightliner, correct?

7 A Okay.

8 Q Are those conversations recorded?

9 A No, my recordings start - are not - that area is not  
10 recorded, no.

11 Q It's - are those recordings -

12 A No.

13 Q Are those conversations recorded?

14 A No, they're not.

15 Q Okay.

16 So, when you testified about the conversations  
17 between the Cooperating Source and a person in the Valley  
18 about going down to the Valley, you don't have any  
19 information - or you don't have any recordings -

20 A No. Or debriefings.

21 Q Then, the first indication that you have that a person,  
22 Mr. Villanueva may be involved with your Cooperating Source is  
23 the wire transfer, correct?

24 A Putting a name to the person, yes.

25 Q Okay.

1 And up until that point, had your Cooperating  
2 Source identified his contact in the Valley?

3 A Only as Silvano.

4 Q "Only as Silvano," those particular words, that name  
5 Silvano?

6 A Only that name.

7 Q Okay.

8 And when you say, "only that name," did he have  
9 an associated telephone number?

10 A Yes, he did - she did.

11 Q Did he have any other associating information - address?

12 A Historical addresses, I believe.

13 Q Had your Cooperating Source seen this person, Silvano,  
14 that they had - were reporting to you was asking them to go  
15 down to the Valley?

16 A Yes, on a prior trip.

17 Q Was that a trip that was under your supervision?

18 A Yes, it was. And it was some time ago.

19 Q And you say some time - months or years?

20 A No, just less than a year, probably, but close to a year  
21 ago.

22 Q Okay.

23 Now, jumping ahead to the series of incidents  
24 between the CS and Mr. Villanueva down in the Valley regarding  
25 the Freightliner.

1 A Yes, sir.

2 Q Are any of those conversations recorded?

3 A No, they're not.

4 Q Were any of those occurrences surveilled by Agents?

5 A No, they were not.

6 Q When you testified that Mr. Villanueva handed a duffle bag  
7 with cocaine to the CS, that testimony is based on what  
8 information?

9 A Two bags from the CS, debriefings of the CS.

10 Q The CS is communications to you?

11 A Yes.

12 Q There are no picture of that?

13 A No.

14 Q There's no surveillance or eyewitness testimony that  
15 they've seen that?

16 A No, there's not.

17 Q Do you have any information regarding the payments for or  
18 the different items that occurred down in the Valley with  
19 respect to the Freightliner, for example, registration,  
20 insurance and inspection of the Freightliner?

21 A Do I have receipts?

22 Q Yes.

23 A I don't believe so. I have the documents. I would have  
24 to doublecheck if I had receipts, but I - I don't recall.

25 Q Okay. Do you have - were those incidents surveilled by



1 Agents?

2 A No, they were not.

3 Q All right. The information that you have is that  
4 Mr. Villanueva participated in those activities or that he  
5 directed that they take place?

6 A Directed and was present at a majority of them.

7 Q What evidence do you have of Mr. Villanueva's involvement  
8 in the order of the broccoli that was picked up at the produce  
9 warehouse?

10 A Again, the briefings of the CS.

11 Q Okay. Have you collected any documentary evidence on  
12 that?

13 A At the moment, no.

14 Q Okay. Now, going to the time period after the seizure of  
15 the drugs and the series of conversations between the CS and  
16 Mr. Villanueva or - but prior to the CS's trip to Love's  
17 Truckstop, okay?

18 A But prior to?

19 Q Prior to. Right?

20 A Okay.

21 Q Are any of those conversations recorded by you?

22 A Every last one.

23 Q Okay. Now, let's talk about the events at the Love's  
24 Truckstop.

25 A Okay.

1 Q Are those events recorded audio - by audio or by video?

2 A They - there's photos. I would have to doublecheck if  
3 there's audio, but I don't think there is; Agent witnesses to  
4 my knowledge.

5 Q Okay.

6 Now, talking about the time - time period  
7 between the end of the Love's Truckstop incident and up and to  
8 the McDonald's incident. Okay?

9 A Yes.

10 Q Those conversations.

11 Are those recorded?

12 A Every last one.

13 Q And now finally, at the McDonald's, are those  
14 conversations recorded?

15 A The physical conversation within the McDonald's, no, I  
16 don't believe so; a meeting, yes, is Agent witnesses and  
17 there's - there should be photos as well.

18 Q Okay. No videos to your knowledge.

19 A To my knowledge I don't - I don't know that there is, no.

20 Q Okay.

21 No further questions, Judge.

22 MR. WILLIAMS: May I proceed, Your Honor?

23 THE COURT: Yes.

24 CROSS EXAMINATION

25 BY MR. WILLIAMS:

1 Q I'm sorry I didn't -

2 THE COURT: Please get closer to the microphone,  
3 though.

4 MR. WILLIAMS: Oh -

5 THE COURT: Thank you.

6 BY MR. WILLIAMS:

7 Q I was a little bit busy earlier; I didn't catch your -  
8 your last name.

9 A Sobin.

10 Q So- --

11 A Sobin, S-O-B-I-N.

12 Q Agent Sobin, going all the way back to the beginning, did  
13 the Confidential Source ever meet with Mr. Vazquez down in  
14 McAllen?

15 A He has no knowledge of Mr. Vazquez prior to the dealings  
16 in Houston?

17 Q Prior to what?

18 A Houston.

19 Q Okay.

20 Do you have any evidence that Mr. Vazquez  
21 transferred any money to the Confidential Source at any time?

22 A No, I do not.

23 Q Do you have any evidence that Mr. Vazquez transferred any  
24 drugs to the Confidential Source at any time?

25 A No, I do not.

1 Q Do you have any evidence that Mr. Vasquez was involved in  
2 preparing the tractor trailer for transport?

3 A No, I do not.

4 Q Do you have any evidence that Mr. Vasquez was involved in  
5 getting the broccoli from the warehouse or anything like that?

6 A No, sir.

7 Q Do you have any evidence that he was involved in preparing  
8 the cover load at all?

9 A No, sir.

10 Q And did the Confidential Source contact Mr. Vazquez about  
11 the seizure initially?

12 A Mr. Vazquez?

13 Q Yes.

14 A No.

15 Q Did the Confidential Source - are there - are there any  
16 recordings between the Confidential Source and Mr. Vazquez  
17 before the McDonald's?

18 A No.

19 Q Did the Confidential Source ever - ever meet with Mr.  
20 Vazquez?

21 A Never.

22 Q Did the Confidential Source ever have any dealings that  
23 you are aware of with Mr. Vazquez?

24 A No.

25 Q Other than the one conversation on the telephone with

1 Mr. Vasquez - and that was at the McDonald's, correct?

2 A That was at the McDonald's in Rosenberg, correct.

3 Q Okay.

4 And that was the only - that's the only recorded  
5 phone call that you have between Mr. Vazquez and the  
6 Confidential Source, correct?

7 A Correct.

8 Q Do you have any evidence that Mr. Vazquez ever received  
9 any - any money from the Confidential Source?

10 A No, I do not.

11 Q Do you have any evidence that Mr. Vazquez transferred in  
12 either direction drugs to the Confidential Source?

13 A No, I do not.

14 Q Do you have any evidence that Mr. Vazquez is this, quote,  
15 unquote, Dallas guy?

16 A The manner in which he spoke on the phone, the intent of  
17 that person speaking next on the phone would be the Dallas  
18 guy? Other than those and the meeting was set up in  
19 furtherance of a meeting with the Dallas guy, all things  
20 pointed at Mr. Vazquez; that's all I have.

21 Q Did - when Mr. Vazquez was on the phone, did he identify  
22 himself as the Dallas guy?

23 A I believe he was asked by the CS "if you are the Dallas  
24 guy"; to which I believe he answered affirmatively, but I  
25 would need to review it.

1 Q And that call will be recorded?

2 A That call's recorded.

3 Q At the Rosenberg meeting, did - did the Confidential  
4 Source ever - ever meet with Mr. Vazquez at the -

5 A That's the same meeting we're talking - that's the  
6 McDonald's still, correct? But, yes, he - no, he has never  
7 met with - she has never met with.

8 Q So, he didn't meet with him at the Rosenberg meeting, the  
9 Confidential Source?

10 A No, that's the McDonald's nor at the Love's.

11 Q When Mr. Vasquez was taken into custody, did he make any -  
12 any written or oral or audio statements to the authorities,  
13 the law enforcement?

14 A At the time of custody that I do not - I do not know  
15 nothing that's been documented.

16 Q Okay. And again, when you checked for any prior  
17 convictions - I assume you checked for prior convictions for  
18 Mr. Vazquez - did you find any?

19 A Nothing in the recent -

20 Q Okay.

21 A -- history.

22 Q And when you checked for his employment records, did you  
23 check in just the one place?

24 A Yes.

25 Q Okay.

1 Did you check anywhere else, his tax returns or  
2 anything like that -

3 A No, I did not.

4 Q -- to see where his income was?

5 A No.

6 Q Now, you said that Mr. Vazquez has a nice home in Hidalgo,  
7 Texas; is that right?

8 A I believe it's Hidalgo, but, yes.

9 Q Okay. And did you check the property records to see if it  
10 was in his name?

11 A I have not, but I was told that it's a mortgage that's  
12 paid off. Do I know if it's in his name? I don't recall.

13 Q Okay.

14 And you said he had a - a high number of cars.  
15 Is it - can you clarify that a little bit? Are you talking  
16 three cars or ten?

17 A At least three. At least three.

18 Q Okay.

19 Are they new cars or -

20 A I believe they're mid- -- they're older models.

21 Q Okay.

22 And is it common, I think, in the Valley that  
23 the people buy older cars, fix them up and sell them and turn  
24 them over to make money; it's rare - a fairly common type of  
25 employment, right?

1 A I would imagine so, but I really don't know.

2 Q And did you check the - to see if Mr. Vazquez was a legal  
3 permanent resident in the United States?

4 A Yes, he's a legal resident.

5 Q Okay. So, he's in - he's in the country legally, correct?

6 A Yes.

7 Q Okay.

8 And you said he goes back and forth across the  
9 border fairly often; is that right?

10 A Yes.

11 Q Okay. Are you aware that he has a family here, with six  
12 children, U. S. citizen children; are you aware of that?

13 A Yes, sir.

14 Q And one of the children has Down Syndrome; did you know  
15 that?

16 A No, I do not.

17 Q Do you know if he has any property or money or anything  
18 like that in Mexico?

19 A That I do not know.

20 Q Did you check to see if he has any bank accounts here in  
21 the United States?

22 A I have not.

23 Q So, the only property that you're aware of that  
24 Mr. Vazquez has is - is the house in Hidalgo and the three  
25 cars, right?



1 A Correct.

2 Q And do you have any evidence that he has any illegal  
3 income from any source?

4 A At the moment, no.

5 Q When you arrested Mr. Vazquez - were you involved in the  
6 arrest of Mr. Vazquez?

7 A No, I was with the Cooperating Source.

8 Q Okay. When they took him into custody, did they find any  
9 large amounts of money in his possession or in his car?

10 A No, he was - they had multiple phones - flip - two flip  
11 phones and a normal Smart phone, which is not common, but -  
12 but, no, there was no large sum of money, just maybe five -  
13 six hundred cash.

14 Q Okay. Any drugs? Any - were there any drugs in the car?

15 A No.

16 Q Any, like, secret compartments or anything like that to  
17 transport drugs?

18 A No.

19 Q Did you have - did he have any weapons on him or anything?

20 A No.

21 Q Have you ever known Mr. Vazquez to carry a weapon or  
22 anything like that?

23 A Not to my knowledge.

24 MR. WILLIAMS: I'll pass the witness, Judge.

25 THE COURT: Redirect?

1 MS. STABE: Briefly, Your Honor.

2 REDIRECT EXAMINATION

3 BY MS. STABE:

4 Q When - Agent Sobin, when Agents went into  
5 Defendant Vazquez' home, was there any cash found in  
6 Defendant Vazquez' home in Hidalgo?

7 A Yeah, I think just shy of five thousand dollars in United  
8 States currency.

9 Q In cash?

10 A Yes.

11 MS. STABE: I'll pass the witness.

12 THE COURT: Anything else?

13 MR. WILLIAMS: No, Your Honor.

14 MR. PARRAS: No, Judge.

15 THE COURT: All right.

16 The witness is excused?

17 MS. STABE: Yes, Your Honor.

18 THE COURT: Thank you.

19 The witness is excused.

20 THE WITNESS: Thank you, Your Honor.

21 (Excerpt of the proceedings at 10:58:30 a.m.)  
22  
23  
24  
25

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF TEXAS  
3 HOUSTON DIVISION  
4

5 I, Linda Griffin, court approved transcriber, certify that  
6 the foregoing is a correct transcript from the official  
7 electronic sound recording of the proceedings in the above-  
8 entitled matter.  
9

10 /s/ Linda Griffin  
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July 6, 2021  
Date